

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

07 UNITED STATES OF AMERICA, ) CASE NO. 06-351M  
08 Plaintiff, )  
09 v. )  
10 JOHN MARTIN MCCULLA, ) DETENTION ORDER  
11 Defendant. )  
\_\_\_\_\_ )

13 | Offense charged:

14 Aggravated Identity Theft (two counts), Unauthorized Access Device Fraud, Social  
15 Security Fraud

16 | Date of Detention Hearing: July 7, 2006

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
19 that no condition or combination of conditions which defendant can meet will reasonably assure  
20 the appearance of defendant as required and the safety of other persons and the community.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) Defendant has been indicted for the above listed offenses in the District of Oregon,

DETENTION ORDER  
18 U.S.C. § 3142(i)  
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01 case number CR 06-257. He has waived an identity hearing and an order of transfer has been  
02 signed by this court.

03 (2) In the Pretrial Services Report, criminal records are cited that reflect prior offenses  
04 including DUI, reckless endangerment, possession of methamphetamine, and theft. A charge for  
05 possession of stolen property in the second degree is pending in King County. A bench warrant  
06 has been issued in Beaverton, Oregon for a failure to appear for a court hearing while he was in  
07 custody in the King County Jail. The bench warrant is extraditable from Washington. The  
08 pending charges in Oregon are for theft in the first degree, fraudulent use of a credit card (two  
09 counts) and forgery in the second degree (two counts). Court records reflect that the defendant  
10 is associated with one alias name, two dates of birth and two Social Security numbers.

11 (3) The defendant does not contest detention at this time, based on the pending,  
12 extraditable warrant from Oregon. He indicates he may request a detention review at his first  
13 appearance in the District of Oregon.

14 (4) The defendant poses a risk of nonappearance due to some conflicting information  
15 about residential history, multiple personal identifiers, the new felony warrant and several pending  
16 charges in King County, Washington, and outstanding warrant from Oregon for similar offenses.  
17 He poses a risk of danger due to the nature of the charges and criminal history.

18 (5) There does not appear to be any condition or combination of conditions that will  
19 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
20 to other persons or the community.

21 It is therefore ORDERED:

22 (1) Defendant shall be detained pending trial and committed to the custody of the

01 Attorney General for confinement in a correction facility separate, to the extent  
02 practicable, from persons awaiting or serving sentences or being held in custody  
03 pending appeal;

04 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
05 counsel;

06 (3) On order of a court of the United States or on request of an attorney for the  
07 Government, the person in charge of the corrections facility in which defendant is  
08 confined shall deliver the defendant to a United States Marshal for the purpose of  
09 an appearance in connection with a court proceeding; and

10 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
11 counsel for the defendant, to the United States Marshal, and to the United States  
12 Pretrial Services Officer.

13 DATED this 7th day of July, 2006.

14   
15 Mary Alice Theiler  
16 United States Magistrate Judge  
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